

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Luis Salgado

Case No.: 16-25337

Judge: _____

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 6/09/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 457.00 per month to the Chapter 13 Trustee, starting on January 1, 2017 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☒ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 19 Locust Avenue

Proposed date for completion: September 30, 2017

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Young Marr and Associates	Administrative claim	\$1500.00
Internal Reveue Service	Priority Claim	To be determined when Proof of claim is filed
State of New Jersey	Priority Claims	To be determined when Proof of claim is filed

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Wells Fargo	19 Locust Avenue	To be paid through pending loan modification	0.00	To be paid through pending loan modification	\$2011.00

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:
Santander Consumer

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☐ Not less than _____ percent
☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administration Claims
- 3) Secured Claims
- 4) Priority Claims and Vaild Unsecured claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: November 30, 2016.

Explain below **why** the plan is being modified:

The plan has been modified to extend the mitigation deadline.

Explain below **how** the plan is being modified:

The plan has been modified to extend the mitigation deadline

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 6/9/2017

/s/ Paul Howard Young Esquire
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 6/9/2017

/s/ Luis Salgado
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Luis F Salgado
 Debtor

Case No. 16-34101-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 24

Date Rcvd: Jun 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2017.

db
 516556800 +Luis F Salgado, 19 Locust Avenue, Piscataway, NJ 08854-2110
 516675158 +Credence Resource Management, Po Box 2300, Southgate, MI 48195-4300
 +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 516556802 +EOS-CCA, 700 Longwater Dr., Norwell, MA 02061-1624
 516556803 +EOS-CCA, Po Box 981025, Boston, MA 02298-1025
 516556805 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Credit, National Bankruptcy Service Center, Po Box 62180,
 Colorado Springs, CO 80962)
 516556804 +First Data, 4000 Coral Ridge Drive, Coral Springs, FL 33065-7614
 516556806 +Ford Credit, 15000 Capital One Dr, Richmond, VA 23238-1119
 516556809 +Mercer County Special Civil Part, Mercer County Central Finance Office,
 175 South Broad Street, 1st Floor, PO Box 8068, Trenton, NJ 08650-0068
 516556812 Middlesex County Special Civil, PO Box 1146, New Brunswick, NJ 08903-1146
 516556814 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: NJ Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695)
 516594358 +Santander Consumer USA, PO BOX 560284, Dallas, Texas 75356-0284
 516556819 +Santander Consumer USA, Po Box 961245, Fort Worth, TX 76161-0244
 516556820 +Santander Consumer USA, Po Box 961245, Ft Worth, TX 76161-0244
 516556822 +Wells Fargo Home Mtg (dba) Americas Serv, Po Box 10328, Des Moines, IA 50306-0328
 516556821 +Wells Fargo Home Mtg (dba) Americas Serv, 1000 Blue Gentian Rd. #300, Mac #X7801-02k,
 Eagan, MN 55121-1786

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 14 2017 22:12:25 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Jun 14 2017 22:12:22 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516762687 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jun 14 2017 22:15:01
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 516556801 +E-mail/Text: Umesh.Patil@credencerm.com Jun 14 2017 22:12:56 Credence Resource Management,
 17000 Dallas Pkwy Ste 20, Dallas, TX 75248-1940
 516556807 E-mail/Text: cio.bncmail@irs.gov Jun 14 2017 22:12:00 IRS Centralized Insolvency Operation,
 PO Box 21126, Philadelphia, PA 19114-0326
 516556818 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 14 2017 22:27:06
 Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502
 516556817 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 14 2017 22:32:20
 Portfolio Recovery, Po Box 41067, Norfolk, VA 23541
 516819809 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 14 2017 22:27:06
 Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067,
 Norfolk VA 23541

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516556808* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
 PHILADELPHIA PA 19101-7346
 (address filed with court: IRS Centralized Insolvency Operation, PO Box 21126,
 Philadelphia, PA 19114-0326)
 516556810* +Mercer County Special Civil Part, Mercer County Central Finance Office,
 175 South Broad Street, 1st Floor, PO Box 8068, Trenton, NJ 08650-0068
 516556811* +Mercer County Special Civil Part, Mercer County Central Finance Office,
 175 South Broad Street, 1st Floor, PO Box 8068, Trenton, NJ 08650-0068
 516556813* Middlesex County Special Civil, PO Box 1146, New Brunswick, NJ 08903-1146
 516556815* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: NJ Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695)
 516556816* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: NJ Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695)
 516730631* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Department of Treasury,
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)

TOTALS: 0, * 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 24

Date Rcvd: Jun 14, 2017

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 13, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for
First Franklin Mortgage Loan Trust 2006-FF11, Mortgage Pass-Through Certificates, Series
2006-FF11 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Paul H. Young on behalf of Debtor Luis F Salgado ykassoc@gmail.com,
lesliebrown.paralegal@gmail.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4